

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
DELTA DIVISION

CHRIS JOHNSTON
ADC #600097

PLAINTIFF

v.

No. 2:19-cv-39-DPM

PIERRE LONG, CO/Sgt, EARU;
AMANDA GRANGER, Lieutenant,
EARU; and LESTER ALLEN,
Sergeant, EARU

DEFENDANTS

ORDER

1. A piece of mail sent to Johnston last fall was returned undelivered. *Doc. 25*. But no other mail—including Johnston's copy of the recommendation—has been returned. Further, the ADC website shows that Johnston is still housed at the East Arkansas Regional Unit, which is where the recommendation was mailed. Johnston has not objected.

2. The Court adopts Magistrate Judge Ray's unopposed recommendation, *Doc. 26*. FED. R. CIV. P. 72(b) (1983 addition to advisory committee notes). Motion for summary judgment, *Doc. 12*, granted. Johnston's claims will be dismissed without prejudice for failure to exhaust.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

20 March 2020